IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BRANDON R. JOHNSON,	)	
	)	
Petitioner,	)	8:16CV133
	)	
V.	)	
	)	
STATE OF NEBRASKA, and	)	**MEMORANDUM**
MARIO PEART, Warden,	)	**AND ORDER**
	)	
Respondents.	)	
	)	

The court conducted an initial review of the Petition for Writ of Habeas Corpus (Filing No. 1) to determine whether the claims made by Petitioner are potentially cognizable in federal court. In doing so, the court noticed that Petitioner filed a virtually identical habeas petition in this court on the same day that the instant habeas petition was filed. *See Johnson v. State of Nebraska*, Case No. 8:16CV137, Filing No. 1 (D. Neb. March 28, 2016). Although the petitions reference different state court case numbers, the conviction and sentencing dates for the state cases are the same and the charges upon which Petitioner was convicted appear identical.

The court previously conducted an initial review of the petition filed in Case No. 8:16CV137, and preliminarily found that Petitioner's claims were potentially cognizable in federal court. *See Johnson v. State of Nebraska*, Case No. 8:16CV137, Filing No. 4. Accordingly, the court entered a progression schedule in that case.

If , as the court suspects, the claims in each of Petitioner's habeas petitions are identical, there is no need for each case to go forward. At the very least, consolidation of the actions is most likely appropriate.

Based on the above,

IT IS ORDERED:

1.   By July 15, 2016, Petitioner show cause why this action should not be dismissed as duplicative of *Johnson v. State of Nebraska*, Case No. 8:16CV137 (D. Neb. March 28, 2016). Should Petitioner fail to do so, this action will be dismissed without further notice and Petitioner will only be allowed to proceed in Case No. 8:16CV137.

2.   The clerk of court is directed to set a pro se case management deadline using the following text: July 15, 2016: deadline for Petitioner to show cause.

DATED this 14th day of June, 2016.

                              BY THE COURT:

                              s/ *Richard G. Kopf*
                              Senior United States District Judge